

REMARKS**I. Status of the Claims**

Claims 30, 32, 36-38, 40, 43, 44, 48, 49 and 53-58 are pending and stand rejected under one or more sections of 35 U.S.C. and/or the nonstatutory judicially created doctrine prohibiting obvious-type double patenting.

Claims 1-29, 31, 33-35, 39, 41, 42, 45-47 and 50-52 are canceled.

II. Rejections under 35 U.S.C. § 112, second paragraph:

1. Claims 32 and 43 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 32 has been amended to delete the term “here” and insert the term “has” in place thereof. Claim 43 has been amended to recite a “golf ball” article. The amendments render the rejections thereof moot. Reconsideration and removal of the rejections of claims 32 and 43 under § 112, second paragraph are respectfully requested.

III. Obvious-Type Double Patenting Rejections:

Claims 30, 32, 36-38, 40, 43, 44, 48, 49 and 53-58 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-29 of U.S. Patent No. 6,719,646. Filed herewith is a terminal disclaimer prepared and executed in compliance with 37 C.F.R. § 1.321(c). Reconsideration and removal of the double patenting rejection of claims 30, 32, 36-38, 40, 43, 44, 48, 49 and 53-58 are respectfully requested.

Claims 30, 32, 36-38, 40, 43, 44, 48, 49 and 53-58 stand provisionally

rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6, 10, 14 and 16 of co-pending U.S.

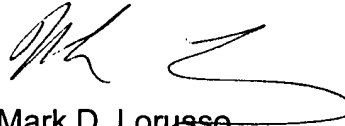
Application No. 10/904,643. The '643 application is not commonly owned. The filing date of the '643 application, November 19, 2004, is more than six years after the present application's filing date. The applications have different inventive entities that share a common inventor. Michael Tzivanis is a named inventor in the present application and not in the '643 application.

Applicants have addressed the other rejections presented in the pending office action thus leaving the provisional obviousness-type double patenting rejection as the last remaining objection. Pursuant to M.P.E.P. § 804, the rejection should be withdrawn and the claims of the present application should be allowed as they pertain to the older of the two applications subject of this last remaining rejection. Reconsideration and removal of the provisional obvious-type double patenting rejection of claims 30, 32, 36-38, 40, 43, 44, 48, 49 and 53-58 are respectfully requested.

IV. Conclusion:

For all the foregoing reasons, the claims are considered definite and to define patentably over the prior art. Reconsideration is requested and favorable action is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark D. Lorusso', with a long horizontal flourish extending to the right.

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